551 This account agrees in details with my own information but is widely at variance on the fundamental point of the range of application of the prohibition. My informants stated emphatically that it applied only to a close group of husband's relatives; in practice, to the occupants of the ylken yj (father's house) and the several otav (junior houses) which would usually surround it, involving the husband's father, mother, unmarried sisters, brothers, brothers' wives and children. Such a group would usually consist of about fifteen or twenty people. Within it the wife might not use the name of any of the husband's male relatives nor those of his mother and sister. Nor might she address by name the wife of an elder brother of her husband although the wife of an elder brother might use the name of a younger brother's wife. Samoilovich's statement that a wife may not use the name of the children of the husband's elder male relatives may, according to my information, be somewhat extended to include the son of the husband's younger brother, provided this son were born before her marriage occurred. Samoilovich also mentions the prohibition on using the name of an elder brother's wife which would not hold true if the wives of the two brothers were sisters.[46]

Levshin, in a footnote,[46] says that the husband would never use his wife's name in speaking to another person. I do not know of any other reference to such an avoidance.

606. Actual personal avoidance seems to have existed only in a rather attenuated form. Radlov[47] says that the daughter-in-law must not look her husband's older relatives directly in the face and must always give precedence to them.[48] My informants said that it was perfectly correct for the father and daughter-in-law to see one another and converse together although she must of course "behave herself properly."

582. Information on the terminology of kinship which might be expected to throw light on the limits of the group within which marriage is prohibited is at present contradictory and incomplete. In general there seems to have been a great variation in the range of application of kinship terms denoting relatives among whom one might not marry.

A possible interpretation of the apparent conflict between generation and group exogamy may be reserved for later discussion.

SEXUAL IRREGULARITIES

836 Kazak views of sexual morality were on the whole quite rigid. Virginity was expected
585 of a bride and the lack of it usually entailed a relinquishment of at least a part of the kalym (bride price) by her father. Levshin[49] says that to the bridal tent

> . . . on attache un cheval couvert d'un harnais de parade et une robe. Le matin, si l'époux a trouvé sa femme chaste et innocente, il met la robe . . . s'élance sur le cheval et arrive triomphant chez

[46] Here again there is a conflict. Grodekov writes (*Kirgizy i Kara-kirgizy*, 28–29) that two brothers would never marry two sisters. Kargabaiev said this frequently occurred.

[47] *Description des hordes*, 356.

[48] *Aus Sibirien*, 1: 480.

[49] See also Dingelstedt, *Le Droit coutumier*, 151.

[50] *Description des hordes*, 361–62.

2: Hudson 2-4, 5 (1936) 1938 BQS Kazak BQS

son beau-père, où l'attendent les compliments et les félicitations . . . . Si, au contraire, le mari n'a pas trouvé sa femme dans l'état d'innocence, il a le droit de tuer le cheval, de déchirer la robe, de briser la tente à coups de sabre, et après avoir ainsi couvert d'ignominie l'impudente, il peut exiger du père ou le kalym acquitte ou une autre de ses filles, et sans aucun payement.

Levshin mentions in passing that these vigorous manifestations of feeling had in his day lost a great deal of their force.[80]

A certain tacit social sanction, however, was given to pre-marital sex relations with a fiancée by the custom of permitting a man who had already paid the greater part of the kalym to visit his betrothed secretly at night in a kibitka set up for her by her brothers and sisters.[81] He was expected, however, to depart early in the morning before the parents of the girl emerged from their own dwelling. His early departure was of course a gesture to convention because the girl's parents naturally knew of the extra kibitka and their daughter's absence from their own. Radlov adds that this arrangement gave the girl opportunity to carry on love affairs with other young men of neighboring auls.

It is difficult to get detailed information on illegitimacy. My informants said there would not be any; the girl would always get married. Tlenshiev finally said that the child might be aborted or exposed on the steppe "so that her parents would not know." How they were kept ignorant during the period of pregnancy is not clear but it is obvious that to bear a child out of marriage or certainly without being betrothed was considered a disgrace.

Rudenko[82] writes that women rarely resort to abortion. When they do they drink an infusion of herbs with mercury or construct a small type of sweat house in which mercury is thrown over red-hot stones. The vapor of the mercury is supposed to produce the desired effect. One of my informants said that the mullah performed abortions but the others scoffed at the idea.

Grodekov[83] confirms the information about the rarity of illegitimacy.

> It is impossible to say anything about the illegitimate children of young girls, because in the steppes all young girls go out and get married. In the Kazalinsk district they bury them [the children] in the ground.

Elsewhere Grodekov reports that an unmarried girl who bears a child will marry the father of the child. Her relatives are usually able to claim from him at least a part of the bride price and if she is young, beautiful and of good family perhaps the whole amount.[84]

Adultery, by the old Mongol code[85] and also by the Kazak code credited to the Khan

[80] See also Dingelstedt, *Le Droit coutumier*, 150.
[81] Radlov, *Aus Sibirien*, 1: 477.
[82] *Ocherk Byta . . . Kazakov*, 49.
[83] *Kirgizy i Karakirgizy*, 97.
[84] See Dingelstedt, *Le Droit coutumier*, 150.
[85] Riasnovskii, *Customary Law of the Mongol Tribes*, 57.

2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

583 considered a fairly good sized kalym to be around two hundred sheep and fifty horses, and a medium one perhaps forty sheep and ten horses. It might, however, amount among the rich to a great deal more and among the poor to considerably less.[71] A very poor man might have to go without a wife through inability to pay kalym but could usually find a girl without many prospects from an equally poverty stricken family whose parents were glad to be relieved of the necessity of supporting her.

The kalym was usually paid in installments over a period of several years. The first payment, according to my informants, sealed the marriage contract and no other man might thereafter marry the girl even though he were in a position to pay the full kalym at once. Tlenshiev said that in former times it had been customary to pay the entire amount in one sum but that in later days it was paid by degrees. The existence, however, of a complete terminology to describe the various stages in the payment of kalym indicates that the practice of payment by installments is probably of considerable antiquity.[72] It sometimes happened that the prospective bride grew old before her fiancé was able to complete the transaction. She was, however, according to Grodekov's material, not obliged to wait indefinitely. If by the time she had reached the age of twenty the youth were still entangled in his obligations, she might break the engagement. He could then apply the payments already made toward acquiring her younger sister or else admit his inability to cope with the situation and receive back a portion of what he had paid.[73]

836 As mentioned above, it appears to have been generally permitted for the fiancé to
583 visit his betrothed after the payment of the first installment of kalym. Levshin notes, however,[74] that in some places the bridegroom must remain at home and not visit the girl until the kalym had been paid in full. Where such visits were permitted there is considerable discrepancy in regard to the extent of intimacy between the two.[75] My informants said that sexual relations were in theory forbidden until the kalym had been paid in full but that they frequently occurred. The same may be inferred from Levshin's remark[76] that if the bride became pregnant the marriage was quickly completed even though the kalym had not been fully paid.

583 It is important to note here a possible change in the concept of the bride price and in the relationships of the individuals involved. Asfendiarov indicates, in a personal communication, that the character of kalym altered concommitantly with the development of feudal institutions in Kazak culture. Formerly, in his opinion, it had been part of a mutual exchange of gifts between the families of the bride and groom but later became an almost exclusively

[71] See also Lansdell, *Russian Central Asia*, 323–24; Levshin, *Déscription des hordes*, 358, note.
[72] See also Dingelstedt, *Le Droit coutumier*, 149; Lansdell, *Russian Central Asia*, 324–25.
[73] Dingelstedt, *Le Droit coutumier*, 149.
[74] *Déscription des hordes*, 360.
[75] See Dingelstedt, *Le Droit coutumier*, 149–50; Radlov, *Aus Sibirien*, 1: 477; Levshin, *Déscription des hordes*, 360.
[76] *Déscription des hordes*, 360.

1 [See cat. 116, p 47 -- Analyst]

Kazalinsk uyezd the boys marry from 9 to 12 years of age. The early 582
marriage of the daughters is dependent on the poverty of the parents, for whom it is difficult to support them. In the Chimkent uyezd the bride is usually sent away at the age of 20 to 25.

After the full payment of the kalym the marriage cannot fail 586
to be consummated. But unchastity or other faults (aib) of the bride 836
which have taken place without it being the fault of the groom, and also the incapacity of the groom for marital cohabitation can be reasons for not consummating the marriage even after the payment of the bride price.

A good groom keeps silent about the shortcoming of his bride which he knows about, especially since now a bride who is faultless is rarely found (Perovsk uyezd). If he makes a complaint but does not renounce the marriage he can be returned half the kalym. If he completely renounces the bride, they offer him the choice of another daughter or the whole (tegiz) kalym which has been paid. If the groom refuses the marriage without guilt on the part of the bride, he cannot demand the return of the paid kalym. Sometimes it happens that they do return part of the kalym to him. (2) From the Chimkent uyezd it

> 2. If the bride declares her unwillingness before the Russian authorities, to marry the groom chosen by her father, then if she is still in her father's house, this is equivalent to the annulment of the ritual of marriage, and she is permitted to marry according to her own choice, with the return of the part of the kalym received from the former groom.

is reported that in /56/ the case of such a refusal, if the groom had been living with his bride, he pays a fine of eight horses and one camel.

If the bride complains to her mother of the groom's having relations with her before the wedding, then his clothes are torn and the belly of his horse is ripped open.

If a girl who is not betrothed has a child, she is considered the 588
wife of the child's father, without having received a kalym. Her father or kinsman may sometimes demand a full kalym for her, depending on the beauty and youth of the bride and the wealth of her parents.

After the death of the groom, the bride is counted on for his 587
brother and /schitaetsia za ego bratom/ in general for his nearest kinsman, which proves that the bride was and is now considered the property of the clan